

## **REMARKS**

Claims 1-14 are pending in the application. By this Amendment, Claims 1, 6 and 11 are amended. Favorable reconsideration is respectfully requested in light of the following Remarks.

### **1. Rejection of Claims 1, 2, 6, 7 and 11-14**

The Office action rejects Claims 1, 2, 6, 7 and 11-14 under 35 U.S.C. §103(a) over Steigerwald (U.S. Patent No. 4,424,557, hereinafter "Steigerwald") in view of Suelzle et al. (U.S. Patent No. 5,397,927, hereinafter "Suelzle"), Claims 3, 4, 8 and 9 under 35 U.S.C. §103(a) over Steigerwald in view of Suelzle, and further in view of O'Sullivan et al. (U.S. Patent No. 5,929,538), and Claims 5 and 10 under 35 U.S.C. §103(a) over Steigerwald in view of Suelzle, and further in view of Hopkins ("Partitioning Digitally Programmable Power-Control for Applications to Ballasts"). The rejections are respectfully traversed.

By this Amendment, independent Claims 1, 6 and 11 are amended to further include the feature that the controller varies the output current based on a maximum, instantaneous current rating of the inverter. Support for this feature can be found, for example, in Paragraphs [0017] and [0018] of the specification.

According to MPEP §2143, to establish a *prima facie* case of obviousness, three criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *In re Linter*, 458 F.2d 1013, 173 USPQ 560, 562 (CCPA 1972). Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Finally, the applied reference must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

It is respectfully submitted that the Office action fails to establish a *prima facie* case of obviousness because the combined references fail to teach or suggest all the claim limitations, as recited in amended Claims 1, 6 and 11. Specifically, the combined

references fail to teach or suggest at least the feature of a controller that varies the output current based on a maximum, instantaneous current rating of an inverter, as recited in amended Claims 1, 6 and 11.

Steigerwald teaches a distributed switching method in which the controller 25 provides switching signals to the transistors 3, 5, 7 and 9 in the full bridge current controlled inverter 1. The controller 25 includes a phased locked loop 27 that generates a sinusoidal waveform that is in phase with the voltage of a utility grid. There is no mention in Steigerwald of a first circuit that measures a harmonic current in the load current, let alone the feature of a controller that varies the output current based on a maximum, instantaneous current rating of an inverter, as recited in amended Claims 1, 6 and 11.

Suelzle teaches an active filter compensator. Although Suelzle teaches that the voltage,  $V_s$ , may have non-fundamental frequency components, such as harmonics or transient voltages, there is no mention in Suelzle of at least the feature of a controller that varies the output current based on a maximum, instantaneous current rating of an inverter, as recited in amended Claims 1, 6 and 11.

O'Sullivan and Hopkins add nothing to overcome this shortcoming in Steigerwald and Suelzle. Thus, the combination of references fails to teach or suggest all the claim limitations, namely, at least the feature of a controller that varies the output current based on a maximum, instantaneous current rating of an inverter, as recited in amended Claims 1, 6 and 11. Therefore, the Office action fails to establish a *prima facie* case of obviousness.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Smith believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the

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filing of this paper, permission is given to charge account number 07-0868 in the name of General Electric Company.

Respectfully submitted,

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/Peter J. Rashid/

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Peter J. Rashid  
Reg. No. 39,464

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Telephone: (810) 227-9077